

**ENTERED**

January 20, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

|                           |   |                          |
|---------------------------|---|--------------------------|
| <b>In re:</b>             | § | <b>Chapter 11</b>        |
|                           | § |                          |
| <b>ALEXANDER E. JONES</b> | § | <b>Case No. 22-33553</b> |
|                           | § |                          |
| <b>Debtor.</b>            | § |                          |
|                           | § |                          |

**ORDER GRANTING APPLICATION FOR ENTRY OF AN ORDER AUTHORIZING  
THE EMPLOYMENT OF RACHEL KENNERLY, LLC AS TAX ACCOUNTANT  
FOR DEBTOR EFFECTIVE AS OF THE PETITION DATE**

ON THIS DATE this Court considered the application (the “Application”) of Alexander E. Jones (the “Debtor”) in the above-captioned case for the entry of an order authorizing Debtor to retain and employ Rachel Kennerly, LLC (“Kennerly”) as his tax accountant effective as of the Petition Date, pursuant to Sections 327(a) of Title 11 of the United States Code (the “Bankruptcy Code”), Rule 2014 of the Federal Rules of Bankruptcy Procedures (the “Bankruptcy Rules”) and Local Rule 2014-1 of the Local Bankruptcy Rules for the Southern District of Texas (each a “LBR”). Upon review of the Application and the Declaration of Rachel Kennerly (the “Kennerly Declaration”), the Court finds that it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; that the Application is a core proceeding pursuant to 28 U.S.C. § 157(b); that the venue of this proceeding and the Application in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; that based on the representations made in the Application and in the Kennerly Declaration, Kennerly’s employment is in the best interests of the Debtor and Kennerly (a) is a “disinterested person” within the meaning of Section 101(14) of the Bankruptcy Code, and (b) Kennerly does not represent or hold an interest adverse to the Debtor; that the Debtor provided adequate and appropriate notice of the Application under the circumstances and that no other or further notice is required; and that the legal and factual bases set forth in the Application established just cause for the relief granted in this Order.

Accordingly, **IT IS HEREBY ORDERED THAT:**

1. The Application is **GRANTED** to the extent set forth herein.
2. Debtor is authorized to retain and employ Kennerly as his tax accountant, effective as of the Petition Date.
3. Kennerly shall apply for compensation for professional services rendered and reimbursement of expenses incurred in connection with this chapter 11 case in compliance with Sections 330 and 331 of the Bankruptcy Code and applicable provisions of the Bankruptcy Rules, Local Rules, and any other applicable procedures and orders of the Court. To the extent applicable, Kennerly shall also make a reasonable effort to comply with the U.S. Trustee's requests for information and additional disclosures in connection with interim and final fee applications to be filed by Kennerly in this chapter 11 case.
4. To the extent that Kennerly uses the services of contract employees in this case, Kennerly (i) shall pass-through the cost of such contract employees to Debtor at the same rate that Kennerly pays the contract employees; (ii) shall seek reimbursement for actual out-of-pocket expenses only; and (iii) shall ensure that the contract employees are subject to conflict checks and disclosures in accordance with the requirements of the Bankruptcy Code and Bankruptcy Rules.
5. Prior to any increase in Kennerly's rates for any individual employed by Kennerly and providing services in the Case, Kennerly shall file a supplemental declaration with the Court and provide ten business days' notice to Debtor, the United States Trustee, Counsel for the Official Committee of Unsecured Creditors, Counsel to the Connecticut Plaintiffs, and Counsel to the Texas Plaintiffs.<sup>1</sup> The supplemental declaration shall explain the basis for the requested rate

---

<sup>1</sup> As such Notice Parties are defined in the *Order Granting Motion for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Chapter 11 Professionals*.

increases in accordance with Bankruptcy Code section 330(a)(3)(F) and state whether Debtor has consented to the rate increase. The U.S. Trustee retains all rights to object to any rate increase on all grounds, including the reasonableness standard set forth in Bankruptcy Code section 330, and the Court retains the right to review any rate increase pursuant to Bankruptcy Code section 330.

6. Kennerly shall use its reasonable efforts to avoid any duplication of services provided by any of Debtor's other retained professionals in this chapter 11 case.

7. To the extent the Application, Kennerly Declaration, or any engagement letter between Debtor and Kennerly is inconsistent with this Order, the terms of this Order shall govern during the pendency of this chapter 11 case.

8. At the conclusion of this case or of Kennerly's engagement by Debtor during this case, if the amount of any retainer held by Kennerly is in excess of the amount of Kennerly's outstanding and Court-approved fees, expenses, and costs, Kennerly will return the amount by which any such retainer exceeds such Court-approved approved fees, expenses, and costs to Debtor.

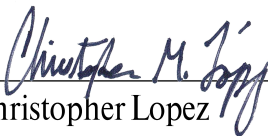
9. Debtor and Kennerly are each authorized to take all actions necessary to effectuate the relief granted pursuant to the Order.

10. Notice of the Application provided by Debtor is deemed to be good and sufficient notice of the Application, and the requirements of the Local Rules are satisfied by the contents of the Application.

11. Notwithstanding any Bankruptcy Rule to the contrary, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

12. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Signed: January 20, 2023

  
\_\_\_\_\_  
Christopher Lopez  
United States Bankruptcy Judge

United States Bankruptcy Court  
Southern District of Texas

In re:  
Alexander E. Jones  
Official Committee Of Unsecured Creditor  
Debtors

Case No. 22-33553-cml  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0541-4  
Date Rcvd: Jan 20, 2023

User: ADIuser  
Form ID: pdf002

Page 1 of 5  
Total Noticed: 11

The following symbols are used throughout this certificate:

| Symbol | Definition  |
|--------|---|
| +      | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.        |
| #      | Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately. |

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 22, 2023:**

| Recip ID | Recipient Name and Address   |
|----------|--|
| db       | Alexander E. Jones, c/o 2525 McKinnon Street, Suite 425, Dallas, TX 75201  |
| cr       | + Francine Wheeler, Cain & Skarnulis PLLC, Ryan E. Chapple, 303 Colorado Street, Suite 2850 Austin, TX 78701-4653  |
| cr       | + Free Speech Systems, LLC, Free Speech Systems, LLC, c/o Patrick Magill, 3019 Alvin Devane Blvd., Ste 300 Austin, TX 78741-7417                                     |
| cr       | #+ Leonard Pozner, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774                                   |
| cr       | #+ Marcel Fontaine, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin, Suite 2700 Houston, TX 77002-6774   |
| cr       | #+ Neil Heslin, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774                                      |
| crcm     | + Official Committee Of Unsecured Creditors, c/o Marty L. Brimmage, Jr., Akin Gump Strauss Hauer & Feld LLP, 2300 N. Field Street, Suite 1800, Dallas, TX 75201-4675 |
| cr       | #+ Scarlett Lewis, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774                                   |
| cr       | + Travis County, c/o Jason A. Starks, P.O. Box 1748, Austin, TX 78767-1748   |
| cr       | #+ Veronique De La Rosa, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774                             |

TOTAL: 10

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address                      | Date/Time            | Recipient Name and Address                                 |
|----------|---|----------------------|--|
| cr       | Email/Text: creditcardbkcorrespondence@bofa.com | Jan 20 2023 20:11:00 | Bank of America N.A., P.O. BOX 31785, Tampa, FL 33631-3785 |

TOTAL: 1

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address                   |
|----------|---------------|------------------------------------|
| aty      |               | Akin Gump Strauss Hauer & Feld LLP |
| cr       |               | Carlee Soto Parisi                 |
| cr       |               | Carlos M Soto                      |
| cr       |               | David Wheeler                      |
| cr       |               | Donna Soto                         |
| cr       |               | Ian Hockley                        |
| cr       |               | Jacqueline Barden                  |
| cr       |               | Jennifer Hensel                    |
| cr       |               | Jillian Soto-Marino                |
| cr       |               | Mark Barden                        |
| cr       |               | Nicole Hockley                     |
| cr       |               | Robert Parker                      |
| cr       |               | William Aldenberg                  |
| cr       |               | William Sherlach                   |

TOTAL: 14 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

District/off: 0541-4  
Date Rcvd: Jan 20, 2023

User: ADIuser  
Form ID: pdf002

Page 2 of 5  
Total Noticed: 11

## NOTICE CERTIFICATION

**I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 22, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 20, 2023 at the address(es) listed below:**

| Name                        | Email Address  |
|-----------------------------|--|
| Avi Moshenberg              | on behalf of Creditor Veronique De La Rosa avi.moshenberg@mhllp.com patricia.flores@mhllp.com  |
| Avi Moshenberg              | on behalf of Creditor Neil Heslin avi.moshenberg@mhllp.com patricia.flores@mhllp.com   |
| Avi Moshenberg              | on behalf of Creditor Scarlett Lewis avi.moshenberg@mhllp.com patricia.flores@mhllp.com  |
| Avi Moshenberg              | on behalf of Creditor Leonard Pozner avi.moshenberg@mhllp.com patricia.flores@mhllp.com  |
| Avi Moshenberg              | on behalf of Creditor Marcel Fontaine avi.moshenberg@mhllp.com patricia.flores@mhllp.com   |
| Christina Walton Stephenson | on behalf of Debtor Alexander E. Jones Crissie.Stephenson@crowedunlevy.com<br>elisa.weaver@crowedunlevy.com;ecf@crowedunlevy.com   |
| Elizabeth Carol Freeman     | on behalf of Interested Party Melissa A Haselden liz@lizfreemanlaw.com<br>kgradney@jw.com;dtrevino@jw.com;jpupo@jw.com;JacksonWalkerLLP@jubileeekb.net                     |
| Ha Minh Nguyen              | on behalf of U.S. Trustee US Trustee ha.nguyen@usdoj.gov   |
| Jarrod B. Martin            | on behalf of Creditor Marcel Fontaine jarrod.martin@chamberlainlaw.com<br>Lara.Coleman@chamberlainlaw.com;atty_jmartin@bluestylus.com;ginger.davis@chamberlainlaw.com      |
| Jarrod B. Martin            | on behalf of Creditor Scarlett Lewis jarrod.martin@chamberlainlaw.com<br>Lara.Coleman@chamberlainlaw.com;atty_jmartin@bluestylus.com;ginger.davis@chamberlainlaw.com       |
| Jarrod B. Martin            | on behalf of Creditor Neil Heslin jarrod.martin@chamberlainlaw.com<br>Lara.Coleman@chamberlainlaw.com;atty_jmartin@bluestylus.com;ginger.davis@chamberlainlaw.com          |
| Jarrod B. Martin            | on behalf of Creditor Leonard Pozner jarrod.martin@chamberlainlaw.com<br>Lara.Coleman@chamberlainlaw.com;atty_jmartin@bluestylus.com;ginger.davis@chamberlainlaw.com       |
| Jarrod B. Martin            | on behalf of Creditor Veronique De La Rosa jarrod.martin@chamberlainlaw.com<br>Lara.Coleman@chamberlainlaw.com;atty_jmartin@bluestylus.com;ginger.davis@chamberlainlaw.com |
| Jason Starks                | on behalf of Creditor Travis County bkecf@traviscountytexas.gov  |
| Jayson B. Ruff              | on behalf of U.S. Trustee US Trustee jayson.b.ruff@usdoj.gov   |
| Marty L Brimmage            | on behalf of Creditor Jennifer Hensel mbrimmage@akingump.com   |

District/off: 0541-4  
Date Rcvd: Jan 20, 2023

User: ADIuser  
Form ID: pdf002

Page 3 of 5  
Total Noticed: 11

lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Nicole Hockley mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Carlos M Soto mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Carlee Soto Parisi mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Mark Barden mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor William Sherlach mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor William Aldenberg mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Jillian Soto-Marino mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Francine Wheeler mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Donna Soto mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Scarlett Lewis mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Veronique De La Rosa mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor David Wheeler mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Neil Heslin mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Marcel Fontaine mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Leonard Pozner mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Jacqueline Barden mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Robert Parker mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Ian Hockley mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Marty L Brimmage

on behalf of Creditor Committee Official Committee Of Unsecured Creditors mbrimage@akingump.com  
lmonreal@akingump.com;bkemp@akingump.com;apraestholm@akingump.com

Melissa A Haselden

mhaselden@haseldenfarrow.com  
haseldenbankruptcytrustee@gmail.com;mhaselden@ecf.axosfs.com;haselden.melissaa.r104367@notify.bestcase.com

Melissa A Haselden

District/off: 0541-4  
Date Rcvd: Jan 20, 2023

User: ADIuser  
Form ID: pdf002

Page 4 of 5  
Total Noticed: 11

on behalf of Interested Party Melissa A Haselden mhaselden@haseldenfarrow.com  
haseldenbankruptcytrustee@gmail.com;mhaselden@ecf.axosfs.com;haselden.melissaa.r104367@notify.bestcase.com

Nicholas Lawson

on behalf of Creditor Scarlett Lewis nick.lawson@mhllp.com patricia.flores@mhllp.com

Nicholas Lawson

on behalf of Creditor Leonard Pozner nick.lawson@mhllp.com patricia.flores@mhllp.com

Nicholas Lawson

on behalf of Creditor Neil Heslin nick.lawson@mhllp.com patricia.flores@mhllp.com

Nicholas Lawson

on behalf of Creditor Marcel Fontaine nick.lawson@mhllp.com patricia.flores@mhllp.com

Nicholas Lawson

on behalf of Creditor Veronique De La Rosa nick.lawson@mhllp.com patricia.flores@mhllp.com

Raymond William Battaglia

on behalf of Creditor Free Speech Systems LLC rbattagliaw@outlook.com, rwbresolve@gmail.com

Richard A. Cochrane

on behalf of Creditor Nicole Hockley rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor William Aldenberg rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Ian Hockley rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Carlos M Soto rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Marcel Fontaine rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor David Wheeler rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Jennifer Hensel rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Jacqueline Barden rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Jillian Soto-Marino rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor William Sherlach rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Robert Parker rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Leonard Pozner rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Veronique De La Rosa rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Mark Barden rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Carlee Soto Parisi rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Scarlett Lewis rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Donna Soto rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Francine Wheeler rcocrane@akingump.com jlangmack@akingump.com

Richard A. Cochrane

on behalf of Creditor Neil Heslin rcocrane@akingump.com jlangmack@akingump.com

Ryan E Chapple

on behalf of Creditor Jacqueline Barden rchapple@cstrial.com apprentice@cstrial.com

Ryan E Chapple

on behalf of Creditor Jillian Soto-Marino rchapple@cstrial.com apprentice@cstrial.com



District/off: 0541-4  
Date Rcvd: Jan 20, 2023

User: ADIuser  
Form ID: pdf002

Page 5 of 5  
Total Noticed: 11

|                 |   |
|-----------------|---|
| Ryan E Chapple  | on behalf of Creditor David Wheeler rchapple@cstrial.com apprentice@cstrial.com   |
| Ryan E Chapple  | on behalf of Creditor Carlee Soto Parisi rchapple@cstrial.com apprentice@cstrial.com  |
| Ryan E Chapple  | on behalf of Creditor Jennifer Hensel rchapple@cstrial.com apprentice@cstrial.com   |
| Ryan E Chapple  | on behalf of Creditor Nicole Hockley rchapple@cstrial.com apprentice@cstrial.com  |
| Ryan E Chapple  | on behalf of Creditor Francine Wheeler rchapple@cstrial.com apprentice@cstrial.com  |
| Ryan E Chapple  | on behalf of Creditor Ian Hockley rchapple@cstrial.com apprentice@cstrial.com   |
| Ryan E Chapple  | on behalf of Creditor Carlos M Soto rchapple@cstrial.com apprentice@cstrial.com   |
| Ryan E Chapple  | on behalf of Creditor William Aldenberg rchapple@cstrial.com apprentice@cstrial.com   |
| Ryan E Chapple  | on behalf of Creditor Mark Barden rchapple@cstrial.com apprentice@cstrial.com   |
| Ryan E Chapple  | on behalf of Creditor Donna Soto rchapple@cstrial.com apprentice@cstrial.com  |
| Ryan E Chapple  | on behalf of Creditor Robert Parker rchapple@cstrial.com apprentice@cstrial.com   |
| Ryan E Chapple  | on behalf of Creditor William Sherlach rchapple@cstrial.com apprentice@cstrial.com  |
| Shelby A Jordan | on behalf of Debtor Alexander E. Jones cmadden@jhwclaw.com  |
| US Trustee      | USTPRegion07.HU.ECF@USDOJ.GOV   |
| Vickie L Driver | on behalf of Debtor Alexander E. Jones Vickie.Driver@crowedunlevy.com<br>elisa.weaver@crowedunlevy.com;ecf@crowedunlevy.com |
| Yoshie Valadez  | on behalf of Creditor Bank of America N.A. mhtbkanhssselfilings@mccarthyholthus.com yvaladez@mccarthyholthus.com            |

TOTAL: 80